

**LEGISLATIVE SERVICES AGENCY  
OFFICE OF FISCAL AND MANAGEMENT ANALYSIS**

301 State House  
(317) 232-9855

**FISCAL IMPACT STATEMENT**

**LS 7380**

**BILL NUMBER: SB 248**

**DATE PREPARED:** Feb 1, 2001

**BILL AMENDED:** Feb 1, 2001

**SUBJECT:** Crime in the Presence of a Child.

**FISCAL ANALYST:** Sherry Fontaine

**PHONE NUMBER:** 232-9867

**FUNDS AFFECTED: X GENERAL  
DEDICATED  
FEDERAL**

**IMPACT:** State & Local

**Summary of Legislation:** (Amended) This bill requires a court to consider whether an offender committed the offender's crime in the presence of an unemancipated child less than eighteen (18) years of age. The bill makes commission of a crime in the presence of an unemancipated child an aggravating factor that may be used to extend the sentence of an offender or impose consecutive sentences.

**Effective Date:** July 1, 2001.

**Explanation of State Expenditures:** (Revised) This bill could increase state expenditures for incarcerating an offender by allowing courts to extend the sentence of an offender or impose consecutive sentences if the crime was committed in the presence of an unemancipated child. The average expenditure to house an adult offender was \$20,700 in FY 1999. Individual facility expenditures ranged from \$14,936 to \$37,807. (This does not include the costs of new construction.) If offenders can be housed in existing facilities with no additional staff, the average cost per offender for medical care, food, and clothing is approximately \$1,825 annually, or \$5 daily.

**Explanation of State Revenues:**

**Explanation of Local Expenditures:** If offenders are incarcerated for longer periods in county jails, local expenditures could increase. The average daily cost to incarcerate a prisoner in a county jail is roughly \$44.

**Explanation of Local Revenues:**

**State Agencies Affected:** Department of Correction.

**Local Agencies Affected:** Trial courts; local law enforcement agencies.

**Information Sources:** Indiana Sheriffs Association.